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EXPRESS MAIL LABEL NO.: EV 021 611 855 US

PATENT APPLICATION

Docket No.: 14113.21.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## TRANSMITTAL FOR INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

Transmitted herewith for filing and pursuant to 37 C.F.R. § 1.97 is an Information Disclosure Statement.

Enclosed also are the following designated documents, as required under 37 C.F.R. §§ 1.97 and 1.98:

- Form PTO-1449 list of 36 references submitted for consideration.
- Legible copies of the listed references or their relevant portions.
- All English translations of each nonenglish reference, if any, within the possession, custody, control or availability of anyone designated in 37 C.F.R. § 1.56(c) (see 37 C.F.R. § 1.98(c)).

The following are included within the Information Disclosure Statement if applicable and as required under 37 C.F.R. § 1.98:

- Concise explanation of relevance of each reference not in English and unaccompanied by an English translation.

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- Statement that certain listed references not enclosed are substantially cumulative of an enclosed reference.
- Statement that certain listed references not enclosed were previously cited by or submitted to the Office in the identified prior application which is relied upon for an earlier filing date under 35 U.S.C. § 120.
- Legible Copies of previously filed Information Disclosure Statement for application Serial No. \_\_\_\_\_, filed \_\_\_\_\_.

In order to secure consideration of the items designated above, one or more of the following, if required, is also enclosed:

- Promptness Certification.
- Check No. \_\_\_\_\_ in the amount of \$240.00 constituting submission fee under 37 C.F.R. 1.17(p);
- Petition for Consideration and Check No. \_\_\_\_\_ in the amount of \$\_\_\_\_\_.
- In the event that 37 C.F.R. § 1.97(c) applies and the Examiner is not satisfied that the Promptness Certification meets the requirements of 37 C.F.R. § 1.97(e), or in any other event remediable by a fee, please credit any over payment or charge any additional fees to Deposit Account No. 23-3178 of the undersigned.

Dated this 3<sup>rd</sup> day of April, 2002.

Respectfully submitted,



R. BURNS ISRAELSEN  
Attorney for Applicant  
Registration No. 42,685



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PATENT TRADEMARK OFFICE

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EXPRESS MAIL LABEL NO.: EV 021 611 855 US

PATENT APPLICATION  
Docket No.: 14113.21.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of:

Richard S. Ohran

) APR 08 2002

) Technology Center 2600

Serial No.:

09/997,656

) Art Unit

Filed:

November 29, 2001

)

Confirmation No.:

Unassigned

)

For:

DUAL CHANNEL RESTORATION OF DATA  
BETWEEN PRIMARY AND BACKUP SERVERS

)

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Examiner:

Unassigned

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INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. § 1.97

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). While no representation is made that any of these references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record

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believes that the enclosed art is the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each of the listed references or relevant portion thereof is also enclosed.

In accordance with 37 C.F.R. § 1.98(c), all English translations within the possession, custody, control or availability of anyone designated in 37 C.F.R. § 1.56(c) of each nonenglish reference, if any, are also enclosed.

Please credit any over payment or charge any additional fees to Deposit Account No. 23-3178 of the undersigned.

Dated this 3<sup>rd</sup> day of April, 2002.

Respectfully submitted,



R. BURNS ISRAELSEN  
Attorney for Applicant  
Registration No. 42,685

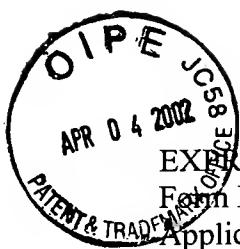


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EXPRESS MAIL LABEL NO.: EV 021 611 855 US  
Form PTO-1449Applicant: Richard S. Ohran  
Serial No.: 09/997,656  
Filing Date: November 29, 2001  
Confirmation No.: UnassignedAtt'y Docket No.: 14113.21.1  
Group:For: DUAL CHANNEL RESTORATION OF DATA BETWEEN PRIMARY AND  
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INFORMATION DISCLOSURE CITATIONS MADE BY APPLICANTU.S. Patent Documents

Examiner Initial*	Patent Number	Issue Date	Name	Class	Sub Class	Filing Date
_____ A1.	6,073,222	06/06/00	Ohran	711	162	03/16/99
_____ A2.	5,835,953	11/10/98	Ohran	711	162	11/08/99
_____ A3.	5,664,186	09/02/97	Bennett, et al.	395	620	05/08/95
_____ A4.	5,649,152	07/15/97	Ohran, et al.	395	441	10/13/94
_____ A5.	5,546,534	08/13/96	Malcolm	395	182.04	06/01/95
_____ A6.	5,515,502	05/07/96	Wood	395	182.13	09/30/93
_____ A7.	5,455,932	10/03/95	Major, et al.	395	489	10/20/92
_____ A8.	5,435,004	07/18/95	Cox, et al.	395	575	07/21/94
_____ A9.	5,241,669	08/31/93	Cohn, et al.	395	575	04/20/92
_____ A10.	5,241,668	08/31/93	Eastridge, et al.	395	575	04/20/92
_____ A11.	5,157,663	10/20/92	Major, et al.	371	9.1	09/24/90
_____ A12.	5,089,958	02/18/92	Horton, et al.	395	575	01/23/89

Examiner:

Date Considered:

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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EX-PRESS MAIL LABEL NO.: EV 021 611 855 US  
Form PTO-1449

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Applicant: Richard S. Ohran  
Serial No.: 09/997,656  
Filing Date: November 29, 2001  
Confirmation No.: Unassigned

For: DUAL CHANNEL RESTORATION OF DATA BETWEEN PRIMARY AND BACKUP SERVERS

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_____	A13.	5,038,278	08/06/91	Steely, Jr. et al.	364	200	11/09/90
_____	A14.	5,649,196	07/15/97	Woodhill, et al.	395	620	11/09/95
_____	A15.	5,819,020	10/06/98	Beeler, Jr.	395	182.03	10/16/98
_____	A16.	5,719,889	02/17/98	Iadanza	371	49.3	12/20/97
_____	A17.	5,349,655	09/20/94	Mann	395	575	05/12/92
_____	A18.	6,085,298	07/04/00	Ohran	711	162	10/01/98
_____	A19.	5,410,667	04/25/95	Belsan, et al.	395	425	04/17/92
_____	A20.	5,426,747	06/20/95	Weinreb, et al.	395	400	03/22/91
_____	A21.	5,379,398	01/03/95	Cohn, et al.	395	425	04/20/92
_____	A22.	5,379,412	01/03/95	Eastridge, et al.	395	575	04/20/92
_____	A23.	5,263,154	11/16/93	Eastridge, et al.	395	575	04/20/92
_____	A24.	5,241,670	08/31/93	Eastridge, et al.	395	575	04/20/92
_____	A25.	5,403,639	04/04/95	Belsan, et al.	395	600	09/02/92
_____	A26.	5,414,850	05/09/95	Whiting	395	700	08/23/91
_____	A27.	5,086,502	02/04/92	Malcolm	395	575	11/13/89

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**\*EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



EXPRESS MAIL LABEL NO.: EV 021 611 855 US  
Form PTO-1449

Applicant: Richard S. Ohran  
Serial No.: 09/997,656  
Filing Date: November 29, 2001  
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Docket No.: 14113.21.1

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Group:

For: DUAL CHANNEL RESTORATION OF DATA BETWEEN PRIMARY AND  
BACKUP SERVERS

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_____	A28.	4,467,421	08/21/84	White	364	200	06/02/82
_____	A29.	5,163,148	11/10/92	Walls	395	600	08/11/89
_____	A30.	5,448,718	09/05/95	Cohn, et al.	395	404	04/20/92
_____	A31.	5,375,232	12/20/94	Legvold, et al.	395	575	09/23/92
_____	A32.	5,978,565	11/02/99	Ohran, et al.	395	182.11	04/28/97
_____	A33.	6,338,126	01/08/02	Ohran, et al.	711	162	12/06/99

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Foreign Patent Documents

<u>Examiner Initial*</u>	<u>Document Number</u>	<u>Publ. Date</u>	<u>Country or Patent Office</u>	<u>Sub Class</u>	<u>Technology Center</u>	<u>Trans-lation Class</u>
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NONE

Other Documents

(including author (if listed), title, relevant pages, date of publication including at least month and year).

Examiner  
Initial\*

Examiner:

Date Considered:

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EXPRESS MAIL LABEL NO.: EV 021 611 855 US  
Form PTO-1449

Applicant: Richard S. Ohran  
Serial No.: 09/997,656  
Filing Date: November 29, 2001  
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BACKUP SERVERS

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Technology Center 2600  
Att'y Docket No.: 14113.21.1

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Group:

\_\_\_\_\_ A34. IBM Corp, IBM Technical Disclosure Bulletin, *Storage Management Mechanism for Managing Snapshot Pages*, pp 26-29, September 1992, author unknown.

\_\_\_\_\_ A35. VERITAS Software Corp., *VERITAS File System (VxFS) System Administrator's Guide*, circa February 1992, author unknown.

\_\_\_\_\_ A36. Sale of VERITAS File System (VxFS) Software, circa 1992, sold by VERITAS Software Corporation.

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#### References Cited by Applicants

APR 10 2002

While the filing of Information Disclosure Statements is voluntary, the procedure is governed by the guidelines of Section 609 of the Manual of Patent Examining Procedure and 37 C.F.R. §§ 1.97 and 1.98. To be considered a proper Information Disclosure Statement, Form PTO-1449 shall be accompanied by a copy of each listed patent or publication or other item of information and a translation of the pertinent portions of foreign documents (if an existing translation is readily available to the applicant), an explanation of relevance of each reference not in the English language, and should be submitted in a timely manner as set out in MPEP Sec. 609.

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Examiners will consider all citations submitted in conformance with 37 C.F.R. § 1.98 and MPEP Sec. 609 and place their initials adjacent the citations in the spaces provided on this form. Examiners will also initial citations not in conformance with the guidelines which may have been considered. A reference may be considered by the Examiner for any reason whether or not the citation is in full conformance with the guidelines. A line will be drawn through a citation if it is not in conformance with the guidelines AND has not been considered. A copy of the submitted form, as reviewed by the Examiner, will be returned to the applicant with the next communication. The original of the form will be entered into the application file.

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Examiner:

Date Considered:

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EXPRESS MAIL LABEL NO.: EV 021 611 855 OS  
Form PTO-1449

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Sheet 5 of 5

Applicant: Richard S. Ohran  
Serial No.: 09/997,656  
Filing Date: November 29, 2001  
Confirmation No.: Unassigned  
Att'y Docket No.: 14113.21.1  
Group:  
For: DUAL CHANNEL RESTORATION OF DATA BETWEEN PRIMARY AND  
BACKUP SERVERS

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Each citation initialed by the Examiner will be printed on the issued patent in the same manner as references cited by the Examiner on Form PTO-892.

The reference designations "A1," "A2," etc. (referring to Applicant's reference 1, Applicant's reference 2, etc.) will be used by the Examiner in the same manner as Examiner's reference designations "A," "B," "C," etc. on Office Action Form PTO-1142.

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Date Considered:

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CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)				Docket No. 14113.21.1
Applicant(s): Richard S. Ohran				
Serial No. 09/997,656	Filing Date November 29, 2001	Confirmation No. Unassigned	Examiner Unassigned	Group Art Unit
Invention: DUAL CHANNEL RESTORATION OF DATA BETWEEN PRIMARY AND BACKUP SERVERS				
<p>I hereby certify that the Transmittal letter (2 pages) (in triplicate); Information Disclosure Statement (2 pgs); Form PTO-1449 Listing all Cited References (5 pgs); Legible Copies of 36 Cited References; and postcard are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, DC 20231 on <u>April 4<sup>th</sup></u>, 2002.</p>				
<p><b>RECEIVED</b> APR 10 2002 Technology Center 2100</p> <p>Dolly Burnett (Typed or Printed Name of Person Mailing Correspondence)</p> <p><u>Dolly Burnett</u> (Signature of Person Mailing Correspondence)</p> <p>EV 021 611 855 US ("Express Mail" Mailing Label Number)</p>				